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**Trey Hanbury**

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**BY ELECTRONIC FILING**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
The Portals  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

Re: WT Docket No. 02-364  
*Ex Parte Presentation*

Dear Ms. Dortch:

On behalf of Sprint Nextel Corporation, Mariam Sorond and I met yesterday with the Federal Communications Commission staff identified below to discuss a narrow, four-megahertz band of spectrum in the 100 megahertz-wide allocation for Industrial, Scientific, and Medical (ISM) devices. We explained that if ISM manufacturers continue to build devices that use unlimited power in the 2496-2500 MHz band, American consumers of next-generation wireless broadband services provided in the 2.5 GHz band will suffer harmful interference. To prevent harmful interference and accelerate the introduction of next-generation broadband services, we asked that the Commission extend the Part 18 requirements that ISM manufacturers are already required to meet above 2500 MHz to four additional megahertz of spectrum in the 2496-2500 MHz band.

In the 2400-2500 MHz band, ISM emissions today are constrained only by what the Food and Drug Administration (FDA) has determined the human body can safely tolerate. By asking for the application of comparatively liberal, Part 18 emissions limits to the 2496-2500 MHz band, Sprint Nextel has requested exceptionally limited relief from the extraordinary emissions potential in this band. Despite the ISM manufacturers' claims, Sprint Nextel has never requested the imposition of these power limits on existing devices. On the contrary, Sprint Nextel has consistently supported a reasonable phase-in period to allow for the sale of existing inventory and to afford foreign and domestic manufacturers time to adjust production lines for ISM equipment.

Applying the Part 18 limits to the four megahertz of spectrum in the 2496-2500 MHz band will allow for the deployment of next-generation broadband consumers to consumers using BRS Channel 1. Under section 1.1206(b) of the Commission's rules, 47 C.F.R. §

1.1206(b), please associate this letter and the attached spectrum plots of microwave oven emissions with the above-referenced docket.

Sincerely,

[/s/ Trey Hanbury](#)

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